

CITY OF DANA POINT



COMMUNITY DEVELOPMENT DEPARTMENT

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January 3, 2008

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South Coast Region

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CALIFORNIA
COASTAL COMMISSION

Sherilyn Sarb
Deputy Director
South Coast Area Office
California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

Subject: Request to Extend the Ninety (90) Day Time Limit for Commission Action on City of Dana Point LCP Amendment Request No. 3-06 (Dana Point Harbor Revitalization Plan and District Regulations)

Dear Ms. Sarb,

I have prepared this letter to address the review schedule associated with the submittal of LCP Amendment Request No. 3-06, by the City of Dana Point.

I am in receipt of the Coastal Commission staff report dated December 20, 2007 (prepared for the January 9-11, 2008 Commission meeting), which recommends a one (1) year extension of the ninety (90) day time limit for Commission action on the City's application. If approved, the new review date would be extended for a full year, to February 5, 2009. This proposed extension is of significant concern to the City of Dana Point and County of Orange, who owns and manages the Harbor.

The proposed LCP Amendment creates a new comprehensive Land Use and Policy Plan for revitalization of Dana Point Harbor. The Harbor buildings and supporting infrastructure have been in place for over three decades, thus necessitating the proposed comprehensive plan for rebuilding these facilities. Due to the continued aging of the facilities, the Harbor Revitalization Plan must be implemented as soon as possible.

For this reason, it is imperative that the Harbor Plan be assigned a priority on the Coastal Commission work schedule, far in advance of the one (1) year time extension recommended by your staff.

Harboring the Good Life

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Ms. Sarb
January 3, 2008
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Thank you for your support and understanding in this matter. If you have any questions, please contact my office at (949) 248-3567.

Sincerely,



Kyle Butterwick, Director
Community Development Department

c: Douglas C. Chotkevys, City Manager
Brad Gross, Director, Dana Point Harbor Department, County of Orange

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

Th 19a

December 20, 2007



TO: Commissioners and Interested Persons

FROM: SHERILYN SARB, Deputy Director
TERESA HENRY, South Coast District Manager
KARK SCHWING, Orange County Area Supervisor
FERNIE SY, Coastal Program Analyst II

SUBJECT: Request to extend the ninety (90)-day time limit for Commission action on City of Dana Point LCP Amendment Request No. 3-06 (for Commission Action at the January 9-11, 2008 meeting in Marina Del Rey).

On November 11, 2006, the City of Dana Point submitted a request to amend its certified Local Coastal Program (LCP), affecting the Land Use Plan (LUP) and Implementation Plan (IP). The submittal was deemed incomplete on November 17, 2006 and again on February 14, 2007 for additional information. All the requested information was subsequently received on November 7, 2007. The proposed Dana Point Harbor Revitalization Plan, which consists of a Land Use Plan (LUP) and Implementation Plan (IP) would replace, in their entirety, the sections in the Dana Point Specific Plan Local Coastal Program relevant to the Dana Point Harbor. Proposed LCP Amendment Request No. 3-06 was submitted for Commission certification by City Council Resolution No. 06-09-13-06.

On November 7, 2007, the date of resubmittal, the Executive Director determined that LCP Amendment Request No 3-06 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations. Therefore, LCP Amendment Request No. 3-06 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30512.1 and 30514 of the Coastal Act, an LCP amendment that includes changes to the LUP portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within ninety (90)-days of a complete submittal. The ninetieth day after the City's filing of the complete submittal is February 5 2008. In order to be heard within this time frame, the LCP amendment would need to be scheduled for the Commission's January 9-11, 2008 meeting in Marina Del Rey.

However, this deadline may be extended for good cause. Public Resources Code (PRC) Section 30517 allows the Commission to extend any time limitation established by Chapter 6 of Division 20 of the PRC, wherein lies Sections 30513 and 30514, for up to a year. Staff is recommending that the Commission extend the ninety-day (90) time limit for the review of the LCP amendment request. The time extension would allow for a thorough review of the City's proposed changes. City staff has been notified of this time extension request and has not objected to this request.

Therefore:

Summary of Staff Recommendation. Staff recommends that the Commission extend the ninety (90)-day time limit for a period of one year, i.e. to February 5, 2009.

MOTION:

"I move that the Commission extend the ninety (90)-day time limit to act on the City of Dana Point Local Coastal Program Amendment DPT-3-06 for a period of one year."

STAFF RECOMMENDATION:

Staff recommends a YES vote. An affirmative vote of the majority of the Commissioners present is needed to pass the motion.